

RECEIVED

OCT 27 2022

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

**U.S. District Court
Eastern District of MO
Cape Girardeau**

BARRETT C. SWAN,
Defendant,

)

No. 1:21-CV-0142-SNLJ

)

)

v.

)

)

UNITED STATES OF AMERICA,
Plaintiff.

)

)

**MOTION FOR EXTENSION OF TIME TO FILE
AMENDING SECTION TO §2255**

COMES NOW, BARRETT C. SWAN, proceeding in *pro se*, motioning this Court to extend the time allotted to amend my original 2255 petition [Doc. 1] to include the arguments presented in the Second Motion for Leave to Amend §2255 Petition [Doc. 22].


Those arguments involve deficiency of counsel after trial, the objections lodged against the Presentence Report, and the Missouri controlled substances in 2003. These interact with recent opinions and decisions published by the Eighth Circuit Court of appeals in *United States v. Oliver*, 987 F.3d 974 (8th Cir. 2021) and *United States v. Perez*, No. 21-2130 (8th Cir. Aug. 18, 2022.).

In order to properly bring those arguments to this Court on their merits, I will need more time to finish this brief.

Conclusion

WHEREFORE I pray this Court grant my request for more time to fully brief these issues...

Submitted this 26rd day of October, 2022.



BARRETT C. SWAN #32540-044

Marion USP

United States Penitentiary

P.O. Box 1000

Marion, Illinois 62959

Defendant/Petitioner in *Pro Se*

CERTIFICATE OF SERVICE

With my signature above, I attest that I have sent a true and correct copy of the foregoing **MOTION FOR ESTENSION OF TIME TO FILE AMENDING SECTION TO §2255** to the Clerk of the U.S. District Court and to the representative of the government by placing them in the inmate mail system on the signature date reflected above.

Service was made via U.S. Postal Mail using the addresses below:

Jonathan A. Clow
Office of the U.S. Attorney
111 S. 10th Street
20th Floor
St. Louis, MO 63102

Clerk of the U.S. District Court
Eastern District of Missouri – STL
111 South 10th Street
Suite 3.300
St. Louis, MO 63102